

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
BRYSON CITY DIVISION

UNITED STATES OF AMERICA	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. DNCW2:03CR74
	)	(Financial Litigation Unit)
THOMAS W. JONES,	)	
Defendant,	)	
	)	
and	)	
	)	
RIDENOUR AND MURPHY, PA,	)	
Garnishee.	)	

**ORDER OF CONTINUING GARNISHMENT**

**THIS MATTER** is before the Court on the answer of the Ridenour and Murphy, PA, as Garnishee. On October 6, 2004, the Honorable Judge sentenced the defendant to 51 months of incarceration for offenses related to financial institution fraud. Judgment in the criminal case was filed on October 26, 2004, (Docket No.36). As part of that Judgment, the defendant was ordered to pay an assessment of \$2,300.00 and restitution of \$778,379.00 to the victims of the crime. *Id.*

On March 11, 2011, the Court entered a Writ of Continuing Garnishment ("Writ"), (Docket No. 44), to Garnishee, the Ridenour and Murphy, PA, ("Garnishee"). The United States is entitled to a wage garnishment of up to 25% of net income and has satisfied the prerequisites set forth in 15 U.S.C. §1673. Defendant was served with the writ of garnishment on March 18, 2011, and Garnishee was served on March 15, 2011. Garnishee filed an Answer on March 18, 2011, (Docket No. 47), stating that at the time of the service of the Writ, Garnishee had in their custody, control or possession property or funds owned by the debtor, including non-exempt, disposable earnings.

IT IS THEREFORE ORDERED that an Order of Continuing Garnishment is hereby ENTERED in the amount of \$768,336.89 computed through March 10, 2011. Garnishee will pay

the United States up to 25% of Defendant's net earnings which remain after all deductions required by law have been withheld and 100% of all 1099 payments, and Garnishee will continue said payments until the debt to the plaintiff is paid in full or until Garnishee no longer has custody, possession or control of any property belonging to Defendant or until further Order of this court.

Payments should be made payable to the United States Clerk of Court and mailed to the Clerk of the United States District Court, 401 West Trade Street, Charlotte, NC 28202. In order to ensure that each payment is credited properly, the following should be included on each check: Court Number DNCW2:03CR74.

The plaintiff will submit this debt to the Treasury for inclusion in the Treasury Offset Program. Under this program, any federal payment the defendant would normally receive may be offset and applied to this debt.

Signed: October 24, 2011

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

